G.R.S. IX-5]

Previous references.

(1926. Courts)

File No. 86-22

Serial Nos. 1-2.

Later references.

preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two.

Part B for November 1922

SUBJECT Addendum and Corrigendum to the Criminal Rule of Practice No. 85 dated 27th. March 1913, in the matter of certifying Copies given for private use

8(2)

To

The Registrar, Chief Court

No: P 3582 D 30.10.22

Sanctions the proposed addendum & Corrigendum to the Criminal Rule of Practice No. 85.

Printed on the Multigraph.

Dr. Nazeer Hussain
15/11/22.

G. R. S. 11] 1922-3

GENERAL AND REVENUE SECRETARIAT.

(CS)

NOTES.

File No. 96 · 22

FILE HEADING.

Addendum et Conjendum to the Criminal Rules of Practice no 85 & 27-3-(91) in the matter of certifying copies given for private use.

From

The Registrar Lahore Court

Roc No. 218 Dated 21.9.22 Received 26.9.22

Diary No. 1699	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that the rules for certifying copies given for private use in Criminal cases are not similar to rules in Civil cases leading to much inconvenience and requests that the Criminal rules on the point may be made uniform with the Civil rules.

NOTES AND ORDERS.

Submitted with a draft for orders

By 29/Maybe appd

31/10/22 Gen Secy 4/10 cag 6/10.

By For approval

Second Member

4) Appd 26/10

By 27.10.22 5) Done cag 29.10

20/10/22 cag 29/10

2446
23-10-22

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 85 of 19 11

Serial No.	
2	Re Registrar, Chief Court P 3582 of 30/10/11 Sanctions the printed addendum et Corrigendum to the Criminal Rule & Practice No. 85.

13/11

S. 56

R-B-Ch. No. 218 to 1
22-23

1699
P

(3)

CHIEF COURT OF MYSORE

Bangalore, dated 23rd Sept: 1922.

86-22-1

From

A. Sreenivasa Raghava Chari, Esqr., B.A., B.L.,
Registrar of the Chief Court of Mysore,
B a n g a l o r e.

GEN'L BR. Read 25 SEP 1922

To

B. V e n k o b a R a o, Esqr., B. A.,
Secretary to the Government of Mysore,
General Department, Bangalore.

JUDICIAL AND REVENUE SECRETARIAT III BRANCH. 26 SEP 1922

S i r,

I am directed to invite attention to a variance in practice between Civil and Criminal Courts in regard to the grant of copies.

2. Private persons are entitled to apply for copies of documents for their private use; and such copies are, under Government Notification No.343 dated the 26th March 1884, exempt from Court fee. But whereas under paragraph 21 of Civil Rule of Practice 153 dated the 28th November 1913, copies granted by Civil courts are certified as true copies at the time of grant, leaving it to parties to affix the prescribed court fee stamps later on should they find occasion for producing them in evidence, the practice in Criminal courts has not been uniform in this respect. It has been brought to notice that in some instances copies required for private use have been refused to be certified as true copies unless they bear court fee stamps, apparently for the reason that para 8 of

Criminal

Criminal Rule of Practice 85 dated 27th March 1913 declares that "no application for copy shall be considered effectual until the court fees, if any, prescribed by law, as chargeable on the said copy, have been paid." But this obviously cannot apply to copies required for private use which are exempt from court fee.

3. In order to make the matter clear and to assimilate the practice on the Criminal side to that obtaining on the Civil side, it is proposed to delete para 8 of the said Criminal Rule of Practice, and to incorporate in para 9 the relevant portion of the Civil Rule of Practice No.153, the amended provisions being re-arranged and numbered as new paras 8 and 9, as shown in the draft addendum et corrigendum enclosed, which, I am to request that the Government may be pleased to sanction.

I have the honour to be,

S i r,

Your most obedient servant,

REGISTRAR.

Rule 6(5)

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum et corrigendum dated the

to Rule of Practice No.85, dated the 27th March 1913.

The Chief Court directs that paragraphs 8 and 9 be deleted and the following be substituted :-

Rule 8. When a copy is ready it shall before delivery be certified and sealed : in the manner prescribed by section 76 of the Evidence Act. The certificate that it is a true copy shall be signed by the Chief ministerial officer who shall initial every alteration or correction. The practice of making erasures by scratching out or otherwise effacing words is strictly prohibited. Corrections should be made by drawing a pen through the word to be cancelled and by writing the substituted word above the word so cancelled. Such copies shall not be filed in any court unless and until the requisite court fee stamps have been affixed thereto. Court fee labels shall be affixed to the first page of the copy and shall be cancelled by punching

{First sentence of existing para 9.}

(N E W)
Taken from para 21 of C.R.P. 153 dated 28th November 1913, printed at page 119 of the Civil Digest.

punching out with a square punch a portion of each label

(N e w) : in such a manner as to remove neither the figure head nor that part of the label upon which the value is expressed. The copy (if stamped) shall then be passed on to the clerk in charge of the daily register of court fees who will make the necessary entries in his register and return the copy for delivery to the applicant.

9. Unused copying sheets, if any, should

(Second sentence of existing para 9.) : not be retained in the office but should be attached to the copy for the preparation of which they were furnished and should be returned to the applicant together with the copy."

REGISTRAR.

G.R.S. VI G 34]

SUBJECT..... Rejected (7

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.....

Diary No. of letter replied to..... 1699

Section CS

File No. 86-72

Serial No. 2

General and Revenue Secretariat

( )

the 192

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.... 30/10

Signed by.....

Read—

Letter no Roc 248 dt 23.9.22 from the Registrar Lehiq Court, stating that the Criminal rules of practice for certifying copies given for private use in Criminal cases are not similar to rules in Civil cases leading to much inconvenience and, requesting sanction, with a view to make the practice uniform in both Civil and Criminal cases, to the ~~following~~ accompanying draft addendum et corrigendum to the Criminal rules of practice no

Order Thereon—No. 8 S dt 27.9.1923

~~Here enter amendment~~

Order no. 8582

Sanctioned.

CWG 6/10 30/10

Deputy Secy

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

To

The Registrar Lehiq Court under a.c.l.

8/10/22 for 4/10

Rc 1582.

(8

Addendum and corrigendum to Rule of Practice No.85 dated the 27th March 1913.

The Chief Court directs that paragraphs 8 and 9 be deleted and the following be substituted:-

RULE 8:- When a copy is ready it shall before delivery be certified and sealed in the manner prescribed by section 76 of the Evidence Act. The certificate that it is a true copy shall be signed by the Chief Ministerial Officer who shall initial every alteration or correction. The practice or making erasures by scratching out or otherwise effacing words is strictly prohibited . Corrections should be made by drawing a pen through the word to be cancelled and by wr ting the substituted word above the word so cancelled. Such copies shall not befiled in any court unless and until the requisite court fee stamps have been affixed thereto. Court fee labels shall be affixed to the first page of the copy and shall be cancelled by punching out with a square punch a portion of each label in such a manner as to remove netiehr the figure head nor that part of the label upon which the value is expressed. The copy (if stamped) shall then be passed on to the clerk in charge of the daily register of court fees whowill make the necessary entries in his register and return the copy for delivery to the applicant.

First sentence of existing para 9

New

9. Unused copying sheets, if any, should not be retained in the office but should be attached to the copy for the preparation of which they were furnished and should be returned to the applicant together with the copy."

Second sentence of existing para 9.